

### **REMARKS**

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action that was mailed October 11, 2007. All of the rejections are respectfully traversed. Amendment, reexamination and reconsideration of the application are respectfully requested.

### **The Office Action**

In the Office Action that was mailed October 11, 2007:

**claims 1-18** and **23-30** were rejected under 35 USC §102(a) as being anticipated by U.S. Patent Application Publication No. 2002/0131565 by Scheuring et al. ("Scheuring"); and

**claims 19-22** were rejected under 35 USC §103(a) as being unpatentable over Scheuring in view of U.S. Patent Application Publication No. 2002/0102999 by Maggenti et al. ("Maggenti").

### **The Present Application**

By way of brief review, the present application is related to methods and systems that facilitate the establishment of a conference call. For example, such a method includes receiving a conference scheduling call from a conference call originator, receiving identification information regarding desired call participants from the conference call originator during the received conference scheduling call, receiving conference call parameter information from the conference call originator in the received conference scheduling call and sending invitations to the desired conference participants based on the identification information, the invitations including response requests.

For example, a communications network component such as a switch, switching center or network adjunct receives the conference scheduling call and the identification information and call parameters and sends the invitations to the desired conference participants (e.g., page 6, lines 23-26).

The method can also include receiving responses from responding desired participants, attempting to schedule a conference call based on the received responses, notifying conference participants of the scheduled conference call time if the attempt to establish the conference call is successful, attempting to place calls to

all the conference participants at or about the scheduled conference call time and interconnecting successfully completed calls. Again, the network element such as the switch, switching center or network adjunct can receive the responses, attempt to schedule the conference, notify conference participants and at the appropriate time attempt to place the calls and interconnect successfully completed calls.

### **The Cited Documents**

In stark contrast, the primary reference of the Office Action to Scheuring discusses a calendaring system and method. One of the functions of the calendaring system involves a method for arranging and holding a telephone conference. However, the method of Scheuring is different from the method discussed in the present application and recited, for example, in claim 1.

For example, the method of Scheuring does not include receiving a conference scheduling call from a conference call originator. Contrary to the assertion of the Office Action, item 505 of Fig. 5 does not depict or suggest receiving a conference scheduling call from a conference call originator. It is respectfully submitted that in Fig. 5, item 505 is a place holder for the activities depicted in Fig. 6 (see paragraph 79, lines 5-8; paragraph 81). Furthermore, it is respectfully submitted that Scheuring intends activities outlined in Fig. 6 to occur in or with a consumer device 110 (Fig. 1; Fig. 2; paragraphs 55-57) and do not involve any device receiving a scheduling call, as recited, for example, in claim 1 of the present application. It is respectfully submitted that in the system of Scheuring, a user schedules a call by interacting with a consumer device 110 of the user through Graphical User Interfaces (GUI) (see Fig. 7 - Fig. 11). Accordingly, item 505 of Fig. 5 represents interactions with and operations of a consumer device 110 and **does not** disclose placing or receiving a scheduling call.

Additionally, contrary to the assertion of the Office Action, item 555 of Fig. 5 does not depict attempting to place calls to conference participants. For example, it is respectfully submitted that if item 555 represented placing calls to participants, then it would not be necessary to "notify 540 invitees to start the call" as indicated in paragraph 80 at about line 8.

In any event, it is respectfully submitted that Scheuring does not disclose that participants are called. Instead, it is submitted that the notification 540 implies that the participants are each responsible for taking some action to participate in the call,

such as calling to a conferencing service.

It is respectfully submitted that any motivation to interpret Scheuring as disclosing attempting to place outgoing calls to all conference participants can only be based on impermissible hindsight reasoning based on information gleaned only from the present application.

It is respectfully submitted that the secondary reference does not cure these deficiencies of Scheuring.

Maggenti discusses a method and apparatus for enabling group communication services in an existing communication system. However, Maggenti is not concerned with scheduling conference calls. Accordingly, Maggenti does not disclose or suggest receiving a conference scheduling call from a conference call originator or attempting to place calls to all conference participants at or about the scheduled conference call time as recited, for example, in claim 1 of the present application.

Additionally, the assertion of the Office Action that it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the service of a mobile network as taught by Maggenti into the calendar system included in a consumer device 110 is respectfully traversed. It is respectfully submitted that the only motivation for making such a combination is information gleaned from the present application. Accordingly, the suggested combination is based on impermissible hindsight reasoning.

### **The Claims Are Not Anticipated**

**Claims 1-18** and **23-30** were rejected under 35 USC §102(a) as being anticipated by Scheuring.

However, as outlined above, Scheuring discusses a calendaring system and method that is implemented within a consumer device 110 (e.g., paragraphs 55 and 56). Accordingly, Scheuring does not disclose receiving a conference scheduling call from a conference call originator. Contrary to the assertion of the Office Action, in the system of Scheuring, the conference call originator or moderator does not place a call to an external device or system to begin the conference call scheduling process. Instead, item 505 allegedly represents a different method for scheduling a telephone conference, and that method does not include placing a call (paragraphs 81-82). It is respectfully submitted that the method 505 involves data selection and

data entry into a consumer device 110 (paragraphs 55-57) through a Graphical User Interface (GUI) (Figs. 7-11).

Even if these GUI selections could be construed as some element receiving identification information regarding desired conference call participants from the conference call originator and receiving conference call parameter information from the conference call originator, these entries cannot be fairly construed as disclosing receiving identification information regarding desired conference call participants from the conference call originator in a received conference scheduling call or receiving conference call parameter information from the conference call originator in the received conference scheduling call.

In this regard it is noted that **Claim 1** has been amended to recite that the identification information and conference call parameter information is received in the conference scheduling call, which was at least implied in **claim 1** as originally presented. Accordingly, these amendments to **claim 1** do not require a new search.

In regard to the identification information and conference call parameter information recited in **claim 1**, the Office Action cites paragraph 7 of Scheuring. However, paragraph 7 does not indicate that this information is received or communicated in a conference scheduling call received from a conference call originator or from the moderator of Scheuring.

Additionally, contrary to the assertion of the Office Action, Fig. 5, item 555 does not disclose attempting to place calls to all the conference participants at or about the scheduled conference time. It is respectfully submitted that item 555 merely identifies a point in the process depicted in Fig. 5 when the conference call is started. Scheuring does not describe the mechanism by which the call is started and does not indicate whether the call participants are expected to call in individually to a conference call service or if some other mechanism is used to establish a connection to the call participants.

Moreover, it is respectfully submitted that if calls were placed to call participants, it would not be necessary to notify invitees to start the call as is depicted at item 540 in Fig. 5 and discussed in paragraph 80.

For at least the foregoing reasons, **claim 1**, as well as **claims 2-18**, which depend therefrom, is not anticipated by Scheuring.

**Claim 3** recites *inter alia* receiving a conference editing call from the conference call originator and receiving changes to at least one of the identification

information regarding the participants of the conference call and conference parameter information during the conference editing call.

Contrary to the assertions of the Office Action, items 520 and 527 of Fig. 5 do not disclose receiving a conference editing call or receiving information during a conference editing call. Instead, items 520 and 527 depict notifications sent to invitees based on a moderator determination. While Fig. 5 indicates that this determination is received 515, Fig. 5 does not indicate that it is received 515 in a conference editing call. It is respectfully submitted that, instead, it is received through a Graphical User Interface (e.g., Fig. 7 - Fig. 11) of a consumer device 110 that includes a call scheduler engine 140 (e.g., Fig. 1). Accordingly, the moderator of Scheuring does not place a call and no device receives a conference editing call from the conference call originator or receives changes to at least one of identification and conference parameter information during such a conference editing call as recited in **claim 3**.

For at least the foregoing additional reasons, **claim 3** is not anticipated by Scheuring.

In alleged support of the assertions that Scheuring discloses the subject matter of **claims 5-7**, the Office Action directs the attention of the Applicants to paragraph 7. However, paragraph 7 is not related to conference calls in particular. Instead, paragraph 7 indicates that the user can create the profile of an event by specifying the event attributes, such as day, timeframe, event beginning time, event ending time, amount of time, required and optional participants, level of importance for the event, stress level, event mode, event type, and event location. The user may instead to enter ranges and/or sets of options instead of specifying particulars, and then the system will choose the best attributes for the participants of the event.

It is respectfully submitted that paragraph 7 does not disclose receiving directory numbers regarding the desired conference participants as recited in **claim 5**.

Additionally, paragraph 7 does not disclose receiving names regarding the desired conference participants as recited in **claim 6**.

Furthermore, paragraph 7 does not disclose receiving a group name regarding the desired conference participants as recited in **claim 7**.

Moreover, paragraph 7 does not disclose or suggest receiving any of this information during a conference scheduling call received from a conference call

originator as is recited in **claim 1**, from which **claims 5-7** depend.

For at least the foregoing additional reasons, **claims 5-7** are not anticipated by Scheuring.

With regard to **claim 9**, the Office Action alleges that Fig. 5, item 515 supports the assertion that Scheuring discloses receiving at least one proposed conference call time. However, item 515 depicts receiving a moderator's determination. It is respectfully submitted that Scheuring does not disclose or suggest that this determination includes a proposed conference call time. Instead, this determination appears to be with regard to whether to proceed, reschedule or cancel the call (paragraph 79 about lines 12-16). Fig. 6, item 630, depicts setting a date/time for call (paragraph 81). However, Scheuring does not indicate that setting the date and time involves receiving at least one proposed conference time as recited in **claim 9**.

Furthermore, **claim 9** recites that the received at least one proposed conference call time is received in conference call parameter information which **claim 1** recites is received during a conference scheduling call.

Scheuring does not disclose or suggest a conference scheduling call.

For at least the foregoing additional reasons, **claim 9** is not anticipated by Scheuring.

With regard to **claim 10**, the Office Action cites item 620 of Fig. 5. However, Fig. 5 does not include an item 620. Accordingly, it is assumed this was meant to be a reference to either item 520 of Fig. 5 or item 620 of Fig. 6. However, in either case, the item does not disclose or suggest receiving a purpose regarding the conference call as recited in **claim 10**.

Moreover, the item does not disclose receiving a purpose regarding the conference call in a conference scheduling call such as recited in **claim 1**, from which **claim 10** depends. Item 520 of Fig. 5 indicates that invitees are notified of a cancellation. Item 620 of Fig. 6 indicates that priorities for participant attendance are set.

Clarification of the position of the Office is respectfully requested.

For at least the foregoing additional reasons, **claim 10** is not anticipated by Scheuring.

With regard to **claim 12**, the Office Action cites paragraph 78. However, **claim 12** recites *inter alia*: wherein sending invitations comprises sending synthesized voice announcements to user equipment of the desired participants.

Paragraph 78 does not disclose sending synthesized voice announcements to user equipment of desired participants. Instead, paragraph 78 mentions “voice recognition” and “voice mail”. Paragraph 78 indicates that a user’s availability based on scheduled events in the user’s calendar, scheduling information is received from the caller (participant, not originator) via touchtone input or voice recognition and then the calendar database is updated. In addition, the caller (participant, not originator) may also leave a voice mail. Paragraph 78 does not disclose sending invitations by sending synthesized voice announcements to user equipment of the desired participants.

Clarification of the position of the Office is respectfully requested.

For at least the foregoing additional reasons, **claim 12** is not anticipated by Scheuring.

With regard to **claims 13** and **14**, the Office Action cites paragraph 80. However, while paragraph 80 mentions sending scheduling data to invitees, paragraph 80 does not disclose or discuss sending invitations comprises sending a menu of proposed conference times or that sending invitations comprises sending a request for an alternative conference time proposal as is recited in **claims 13** and **14**, respectively.

Clarification of the position of the Office is respectfully requested.

For at least the foregoing additional reasons, **claims 13** and **14** are not anticipated by Scheuring.

With regard to **claims 16-18**, the Office Action cites the discussion of engine 140 in paragraph 81. However, even if the cited discussion could be fairly construed as disclosing searching for a proposed conference time acceptable to all of the desired conference participants or searching for a proposed conference time acceptable to the desired conference participants associated with a high priority, it is respectfully submitted that paragraph 81 does not disclose searching for a proposed conference time acceptable to a majority of the desired conference participants as is recited in **claim 17**.

Furthermore, since, as indicated above with regard to **claims 13** and **14**, Scheuring does not disclose or suggest receiving proposed conference times, Scheuring cannot disclose searching for a proposed conference time acceptable to all the desired conference participants or searching for a proposed conference time acceptable to desired conference participants associated with a high priority as

recited in **claims 16** and **18**, respectively.

For at least the foregoing additional reasons, **claims 16-18** are not anticipated by Scheuring.

**Claims 23-30** were mentioned in the explanation of the rejection of **claim 1**, however, the elements specifically recited in **claim 23** were not specifically addressed. In this regard, it is respectfully submitted that the Office Action is incomplete.

Nevertheless, arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 23**. For example, it is respectfully submitted that Scheuring does not disclose or suggest a conference orchestrator operative to respond to an arrival of the scheduled conference time by orchestrating the placement of calls to conference participants and the interconnection of calls successfully placed. It is respectfully submitted that Scheuring does not indicate how a conference call is established and appears to indicate that all conference participants are to place a call rather than have calls placed to them (e.g., Fig. 5, 540).

For at least the foregoing reasons, **claim 23**, as well as **claims 24-29**, which depend therefrom, are not anticipated by Scheuring.

With regard to **claim 25**, Scheuring does not disclose or suggest a network interface that is operative to provide communication services to the conference orchestrator as is recited in **claim 25**. It is respectfully submitted that the calendar engine of Scheuring communicates with the conference orchestrator through a Graphical User Interface (Fig. 7 - Fig. 11) and not through a network interface.

For at least the foregoing additional reasons, **claim 25** is not anticipated by Scheuring.

Independent **claim 30** recites a system that includes means for performing the elements of independent **claim 1**. Accordingly, arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 30**. Furthermore, even if Scheuring could be construed to disclose some means for performing the functions of **claim 1**, Scheuring clearly does not disclose the same means disclosed in the present application. Accordingly, under 35 USC §112, sixth paragraph, Scheuring does not anticipate the subject matter of **claim 30**.

For at least the foregoing reasons, **claim 30** is not anticipated by Scheuring.

Support for the amendment to **claims 1** and **30** is found throughout the



present application, including, for example, page 6, line 27 - page 7, line 14. It is respectfully submitted that these amendments are also supported by subject matter that was at least implied in **claims 1 and 30** as originally filed and do not require a new search.

### **The Claims Are Not Obvious**

**Claims 19-22** were rejected under 35 USC §103(a) as being unpatentable over Scheuring in view of Maggenti.

In explaining the rejection of **claim 19**, the Office Action stipulates that Scheuring does not disclose a method operative to facilitate the establishment of a conference call through the services of a mobile network at an MSC, and asserts that Maggenti discloses a method operative to facilitate the establishment of a conference call through the services of a mobile network at an MSC.

However, Maggenti is unrelated to conference calls. Instead, Maggenti relates to an apparatus and method to enable group communication services using standard Internet Protocol in an existing communication system. As explained in paragraphs 5-8, the kinds of communications addressed by Maggenti are point to multipoint communication systems. That is, only one participant may speak at a time wherein members desiring to transmit to other members of the system typically send an access request by depressing a push-to-talk button on their respective device that allows the user's sole access to the dedicated channel (paragraph 6, last sentence). Only one member may transmit voice and/or data communications to the other member users at any given time. If another member attempts to transmit over the broadcast channel while another member is transmitting, interference between the two competing communications will occur, resulting in non-intelligible communications being received by the other net members (last two sentences of paragraph 8).

Accordingly, it is respectfully submitted that Maggenti is unrelated to conference calls as the phrase is used in the present application and as the phrase is used in Scheuring.

Furthermore, Maggenti is unrelated to **scheduling** conference calls.

Additionally, the Office has not met its burden of presenting a *prima facie* case of obviousness.

For example, the allegation that making the suggested combination would

make the calendar system of Scheuring more efficient to establish a conference call to the services of a mobile network is respectfully traversed. Scheuring and Maggenti do not suggest that such a combination would be more efficient. It is respectfully submitted that such a conclusion can only be speculation on the part of the Examiner or based on information gleaned only from the present application and is therefore, based on **impermissible hindsight reasoning**.

For at least the foregoing reasons, **claim 19**, as well as **claims 20-22**, which depend therefrom, is not anticipated and is not obvious in light of Scheuring and Maggenti.

Furthermore, Scheuring and Maggenti do not disclose or suggest receiving a conference scheduling call from a conference call originator. As indicated above with regard to **claim 1**, Fig. 5, item 505, does not disclose or suggest receiving a conference scheduling call at an MSC or at any other device. Paragraph 7 of Scheuring does not disclose or suggest receiving identification information or receiving conference call parameter information from the conference call originator in the conference scheduling call (as **claim 19** has been amended to recite).

Moreover, Scheuring, even in view of Maggenti does not disclose or suggest receiving a conference scheduling call, and receiving identification information and conference call parameter information at an MSC. Indeed, it is respectfully submitted that the communications provided by the system of Maggenti are not scheduled. Instead, they occur whenever one net member wishes to transmit information to other net members as long as a communications channel is available (e.g., see paragraph 71-72 of Maggenti).

Furthermore, Scheuring and Maggenti do not disclose or suggest sending invitations **from the MSC** as recited in **claim 19**.

Scheuring and Maggenti do not disclose or suggest receiving responses to the invitations **at the MSC** as recited in **claim 19**.

As indicated above, Scheuring does not disclose or suggest receiving a conference editing call. Additionally, the Office Action does not even assert that Maggenti discloses or suggests receiving a conference editing call.

Accordingly, Scheuring and Maggenti do not disclose or suggest receiving a conference editing call **at the MSC** as recited in **claim 19**.

Furthermore, and accordingly, Scheuring and Maggenti do not disclose or suggest receiving changes to at least one of the identification information regarding

the participants of the conference call and conference call parameter information in the received conference editing call (as **claim 19** has been amended to recite).

Furthermore, Scheuring and Maggenti do not disclose or suggest sending invitations based **from the MSC** based on the received changes or receiving responses as recited in **claim 19**.

Moreover, Scheuring and Maggenti do not disclose or suggest attempting to place calls **from the MSC** to all the conference participants at or about the scheduled conference time as recited in **claim 19**.

Even if Maggenti discloses a system that includes an MSC, that does not disclose or suggest that an MSC can be adapted to provide conference call scheduling services such as disclosed in the present application and recited in **claim 19**.

For at least the foregoing additional reasons, the Office Action has not met its burden of presenting a *prima facie* case of obviousness, and **claim 19**, as well as **claims 20-22**, which depend therefrom, is not anticipated and is not obvious in light of Scheuring and Maggenti.

Support for the amendment to **claim 19** is found throughout the present application, including, for example, page 6, line 27 - page 7, line 14. It is respectfully submitted that these amendments are also supported by subject matter that was at least implied in **claim 19** as originally filed and do not require a new search.

With regard to **claim 20**, the Office Action suggests that paragraph 27 supports the assertion that Scheuring discloses sending reminder messages **from the MSC** to conference participants. However, paragraph 27 makes no such disclosure, and this assertion represents a clear error in fact of the Office Action.

For at least the foregoing additional reasons, **claim 20** is not anticipated and is not obvious in light of Scheuring and Maggenti.

### **Telephone Interview**

In the interests of advancing this application to issue, the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

### CONCLUSION

**Claims 1-30** remain in the application. **Claims 1, 19** and **30** have been amended to correct grammatical errors and to recite subject matter that was at least implied in the original claims. Accordingly, the amendments to **claims 1, 19** and **30** do not require a new search.

For at least the foregoing reasons, the claims are in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

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#### CERTIFICATE OF MAILING OR TRANSMISSION

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